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REMARKS

Claims 1-5 and Claims 7-11 have been cancelled. Applicant has amended Claim 6 as shown above to make it an independent claim. No changes have been made to the limitations of Claim 6.

The Examiner rejected Claim 6 under 35 U.S.C. 103(a) as being unpatentable over Adan, *et al*, (hereafter "Adan") (6,172,354) in view of Jung, *et al* (hereafter "Jung") (US2002/013 9918) and further in view of Pranger, *et al* (hereafter "Pranger") (US 5,574,480). Applicant traverses the rejection.

The Examiner admits that the combination of Adan and Jung does not disclose that the illumination system has a first setting for providing a first level of accuracy in said determined displacement and a second setting for providing a second level of accuracy that is greater than said first level of accuracy, said second illumination setting requiring more power than said first illuminating setting, said illumination setting being determined by a control signal supplied by a user of said pointing device. The Examiner looks to Pranger for the missing teaching. According to the Examiner, Pranger teaches a pointing device having a plurality of discrete current settings for the LED. Claim 6 requires that the pointing device provides different levels of accuracy at the different current settings. The Examiner has not pointed to any such teaching in Pranger. The passages cited by the Examiner refer to changing the current level either simply to compensate for aging in the LED, i.e. returning the LED to its original light output, or to changing the current level to a low value used by the manufacturer in testing the devices. Another passage in Pranger (lines 59-65) refers to reducing the LED current level to save power when programming a non-volatile memory such as an EEPROM. There is no teaching of achieving different levels of accuracy in determining the displacement of the pointing device over the surface, as specified by the limitations of Claim 6. Hence Applicant submits that the Examiner has not made a *prima facia* case for obviousness with respect to Claim 6.

Applicant respectfully requests that the Examiner enter the above amendments on the filing of an appeal if the Examiner maintains the Examiner's rejection of Claim 6.

I hereby certify that this paper is being sent by FAX to 571-273-8300.

Respectfully Submitted,



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Date: Nov. 20, 2006

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